

presenting the restriction requirement. An office action in a related case, Serial No. 07/290,975, filed December 28, 1988, requiring restriction or election, mailed November 7, 1989, was received by Applicants' attorney on November 10, 1989 and a timely response was filed. The circumstances surrounding non-receipt of the office action in the present application are set out in the accompanying Declaration of William M. Smith.

As Applicants are not in possession of the office action, Applicants are treating the requirement as an oral requirement for election or restriction. Applicants believe that all of the claims are so closely related to those designated in Group I that they should remain in the same application to preserve unity of invention. All claims relate generally to human-like immunoglobulins made from a human acceptor immunoglobulin framework and amino acids from complementarity determining regions of donor immunoglobulins. Thus, they should all be examined in a single application.

With respect to the claims constituting Groups II and III, Applicants reserve the right to file a divisional application for the claimed subject matter. Applicants do not waive any of their rights or abandon any subject matter in the non-elected claims.

Applicants have also amended Claim 1 to more particularly point out and claim the invention. Support for the amended claim may be found throughout the specification, and particularly on page 3, line 17 through page 4, line 3. No new matter has been added by this amendment.

Since Applicants have fully and completely responded to the requirement for restriction and have made the required election, this application is now in order for early action.

Respectfully submitted,

TOWNSEND and TOWNSEND

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